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AMENDMENT FILED CONCOMITANT WITH RCE

REMARKS/ARGUMENTS

The only rejection of record appears to be the formal objection and this is obviated by the above amendment. Therefore, this AMENDMENT is fully responsive. However, to advance the prosecution in view of the remaining subject matter, arguments below are presented with respect to earlier rejections as they may be applied to the present claims.

The specification is amended to correct a typographical error. Support is in the context and the rest of the paragraph.

Claims for action in this case are claims 1-6, 8-14 and 17 and 18; also, new claims 19 and 20 which are within the elected subject matter. Claims 15 and 16 are non-elected. Claim 7 is combined with claim 1.

Although applicants do not agree with the Examiner's position concerning the term "transparent," it is being deleted from the claims at this time to avoid the issue.

Independent claims 1, 13 and 14 now require the dynamic friction coefficient formerly required in claim 7. This requirement is a preferred feature of the invention as discussed in the specification, e.g. at page 29, second paragraph and page 30, second paragraph. The reason that it is important is

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explained in the test results (page 42 and Table 1 (page 43) and Table 2 (page 46). As can be seen from the results in Tables 1 and 2, the quality of the result for invention samples is surprisingly superior (i.e. is useful as a commercial product) to that of the samples outside the invention parameter.

Bujard is directed to a different invention. Bujard refers to colored effect pigments and their use. These include colors such as yellow (Example 1), blue (Example 2), and red (Example 3). Because Bujard is concerned with pigments, the requirement of the present invention concerning frictional coefficient is absent. It is therefore not surprising that Bujard does not disclose or suggest such a requirement. Bujard teaches colored pigments to be used, for example, as paints (see column 2, lines 42-51). As described at page 4 of the present specification, an object of the present invention is to provide a cellulose ester film formed by casting, which minimizes degradation of optical properties as well as exhibit sufficient mechanical strength, etc.

Claims 2-5, 13-15 and new claims 19 and 20, all have a requirement for the aspect ratio of the particles, linked to the ultimate use of the film. Considering the Examples in Bujard, these refer to pigmentation by deposition of certain inorganic material onto a glass plate. The glass plate is "flat glass (for

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example, microscope cover glass)" (see discussion in Example 1 in column 12). A yellow pigment powder having 80 nm thickness core of TiO_2 was prepared in Example 15. There is no suggestion or teaching concerning a requirement aspect ratio or even about length or width of the powder. The powder is used as yellow paint, a use not related to cellulose ester film use intended for the present invention.

Concerning the issues of obviousness based on Nishino et al. in view of Bujard, as noted above, Bujard is concerned with a different invention and different pigmentation processes (i.e. colored pigments or paints). Claim 14 refers to a liquid crystal display wherein at least one of the protective films comprises cellulose ester film having particles meeting the aspect ratio of 2 to 7. If one were to apply the Bujard pigment to a cellulose ester film, the liquid crystal display would not be useful. Similar comments apply to the subject matter of claims 10-13 wherein the film covers a display which must be visible. Therefore, if the Bujard pigments were applied to the Nishino invention, the Nishino invention could not be useful. The combination is only possible with hindsight. Not only is Bujard improper for rendering the present invention obvious, it is also improper for a combination with Nishino. Such a combination

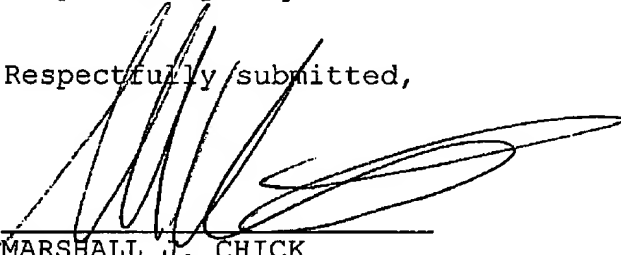
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would be taught away from by the nature of the disclosure in Bujard as compared with the requirements of the Nishino device.

In view of the above, it is submitted that the present invention is not shown or suggested by the art. Withdrawal of the rejections and allowance of the application are therefore respectfully requested. With the allowance of the claims, rejoinder of withdrawn process claim 15, as amended herein, and withdrawn process claim 16 is respectfully requested.

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